

Brown, Laura J.S. (ENRD)

From: Luna, Mario (ENRD)
Sent: Thursday, October 2, 2025 9:05 AM
To: Michael Connolly
Cc: Brown, Laura J.S. (ENRD)
Subject: Re: [EXTERNAL] PLP v. EPA - Motion for Extension of Pages

Hi Mike,

We are going to reserve our position until we see your motion and explanation. We will need to consider your request in the context of all motions seeking overlength briefs.

Best regards,

Al Luna

Mario "Al" Luna
Trial Attorney
Environmental Defense Section
United States Department of Justice | Environment & Natural Resources Division
Phone: (202) 532-3357
Email: mario.luna@usdoj.gov



From: Michael Connolly <mike@consovoymccarthy.com>
Sent: Wednesday, October 1, 2025 7:54:55 PM
To: Luna, Mario (ENRD) <Mario.Luna@usdoj.gov>
Cc: Brown, Laura J.S. (ENRD) <Laura.J.S.Brown@usdoj.gov>
Subject: Re: [EXTERNAL] PLP v. EPA - Motion for Extension of Pages

Thank you.

On Wed, Oct 1, 2025 at 7:54 PM Luna, Mario (ENRD) <Mario.Luna@usdoj.gov> wrote:

Hi Mike,

We will be able to give you our position on your motion tomorrow morning.

Best,

Al Luna

Mario “Al” Luna

Trial Attorney

Environmental Defense Section

United States Department of Justice | Environment & Natural Resources Division

Phone: (202) 532-3357

Email: mario.luna@usdoj.gov



From: Michael Connolly <mike@consovoymccarthy.com>
Sent: Wednesday, October 1, 2025 5:26 PM
To: Luna, Mario (ENRD) <Mario.Luna@usdoj.gov>
Cc: Brown, Laura J.S. (ENRD) <Laura.J.S.Brown@usdoj.gov>
Subject: Re: [EXTERNAL] PLP v. EPA - Motion for Extension of Pages

Al,

It appears that you may not be available later in the week. The State may be in a position where it has to file its brief on Friday, if the Court denies or does not act on the stay motion.

Accordingly, can you please tell us today whether you would oppose a motion for an extension of pages to file a 45-page brief? (Again, the brief is currently only 44 pages, but I'm giving us a page of wiggle room for the editing process.)

Thanks,

Mike

On Wed, Oct 1, 2025 at 11:15 AM Michael Connolly <mike@consovoymccarthy.com> wrote:

Mario,

I will send you our exact page limit request tomorrow. It should be no more than 44 pages. Please let me know then whether you will oppose it.

Thanks,

Mike

On Wed, Oct 1, 2025 at 10:56 AM Luna, Mario (ENRD) <Mario.Luna@usdoj.gov> wrote:

Mr. Connolly,

Please represent in your motion to the Court that, because the State of Alaska has not specified to Defendants the precise relief it seeks, Defendants must reserve its position until we see the motion.

Thank you,

Al Luna

Mario "Al" Luna

Trial Attorney

Environmental Defense Section

United States Department of Justice | Environment & Natural Resources Division

Phone: (202) 532-3357

Email: mario.luna@usdoj.gov



From: Michael Connolly <mike@consovoymccarthy.com>
Sent: Tuesday, September 30, 2025 3:02 PM
To: Luna, Mario (ENRD) <Mario.Luna@usdoj.gov>
Cc: Brown, Laura J.S. (ENRD) <Laura.J.S.Brown@usdoj.gov>
Subject: Re: [EXTERNAL] PLP v. EPA - Motion for Extension of Pages

I believe PLP will be requesting more pages. I'm not sure about the other plaintiff. (My guess is that they won't, but I'm not sure.)

I don't have the exact number of pages yet because the brief is still being finalized, proofed, etc. But my guess is that the brief will be 44 pages. Given the number of parties involved we thought it prudent to reach out now rather than when it was finalized later in the week.

Best,

Mike

On Tue, Sep 30, 2025 at 2:54 PM Luna, Mario (ENRD) <Mario.Luna@usdoj.gov> wrote:

Mr. Connolly,

Do you know whether the other Plaintiffs intend to seek extensions of pages as well? That information may inform our position.

In addition, could you clarify the specific relief you are seeking? You mentioned that you anticipate your brief being 44 pages, but that your estimate may go up or down. What exact extension do you plan to request from the Court?

Thank you,

Al Luna

Mario “Al” Luna

Trial Attorney

Environmental Defense Section

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Phone: (202) 532-3357

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From: Michael Connolly <mike@consovoymccarthy.com>

Sent: Tuesday, September 30, 2025 1:09 PM

To: katherine.wenner@squirepb.com; Bradley, Keith <keith.bradley@squirepb.com>; kevin@reevesamodio.com; scheleese.goudy@squirepb.com; tom@reevesamodio.com; Walker, Jeffrey <jeffrey.walker@squirepb.com>; cyates@pacificlegal.org; Damien M. Schiff <DSchiff@pacificlegal.org>; Luke Wake <lwake@pacificlegal.org>; Brown, Laura J.S. (ENRD) <Laura.J.S.Brown@usdoj.gov>; Luna, Mario (ENRD) <Mario.Luna@usdoj.gov>; jsteiner@wsgr.com; lamadon@wsgr.com; Megan Condon <mcondon@narf.org>; dberger@wsgr.com; jbaskin@wsgr.com; felipe.farley@bbna.com; Jeff Feldman <jefff@summitlaw.com>; jamesf@summitlaw.com; karen@bvt-law.com; peter@bvt-law.com; Scott Kendall <scott@cashiongilmore.com>; Paul Werner <PWerner@sheppardmullin.com>;

Abraham Shanedling <AShanedling@sheppardmullin.com>; Alexandra Bustamante <abustamante@sheppardmullin.com>; austinew@gmail.com; Christopher Bauer <cbauer@sheppardmullin.com>; Hannah Wigger <hwigger@sheppardmullin.com>; Steven Hollman <SHollman@sheppardmullin.com>; Siobhan McIntyre <smcintyre@trustees.org>; jcahoon@trustees.org; ecolon@earthjustice.org; carce@earthjustice.org; mtave@earthjustice.org; jiwata@nrdc.org; jreynolds@nrdc.org; tzimpleman@nrdc.org
Cc: Opsahl, Ron W (LAW) <ron.opsahl@alaska.gov>; Steven Begakis <steven@consovoymccarthy.com>; Gilbert Dickey <gilbert@consovoymccarthy.com>

Subject: [EXTERNAL] PLP v. EPA - Motion for Extension of Pages

Counsel,

The State of Alaska intends to file a motion for an extension of pages for its opening brief. We anticipate that our brief will be 44 pages in length (though that length may go up or down slightly as we finalize the brief).

Please let us know as soon as possible if you will oppose our motion.

Thanks,

Mike

--

J. Michael Connolly

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